

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION ONE

In re ANA VANESSA MEJIA,
on Habeas Corpus.

A125094

(Solano County
Super. Ct. No. FCR243166)

By the Court: *

Petitioner contends that her trial counsel was incompetent for failing to object to the condition of probation that requires her to submit to drug testing. Petitioner argues that the condition was unlawful here because drugs were not involved in the offense, she does not use drugs, and she has no history of drug abuse—according to the probation report, petitioner reported no illicit drug use other than experimenting with marijuana several years before the offense. However, the court has broad discretion in imposing conditions of probation (*People v. Balestra* (1999) 76 Cal.App.4th 57, 65), and drug testing conditions are lawful because they are reasonably related to future criminality (see *In re Kacy S.* (1998) 68 Cal.App.4th 704, 710, citing *People v. Lent* (1975) 15 Cal.3d 481, 486). Since it is not reasonably probable that an objection to the condition would have been sustained, the claim of ineffective assistance of counsel lacks merit. (*People v. Fosselman* (1983) 33 Cal.3d 572, 584.)

* Before Marchiano, P.J., Margulies, J., and Banke, J.

The petition for writ of habeas corpus is denied.

The clerk is directed to file a copy of this order in *People v. Mejia* (A122163).